

United States District Court
For the Northern District of California

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6 IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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EUGENE E. WELCH,

No. C 09-3198 WHA (PR)

Plaintiff,

ORDER OF DISMISSAL

v.

MS. HRBACEK, Et al.,

Defendants.

This is a civil rights action filed pro se by a prisoner. The court notified plaintiff that he had failed to pay the filing fee or apply for leave to proceed in forma pauperis ("IFP"). Plaintiff was informed that the case would be dismissed if he did not either pay the fee or remedy the IFP deficiency within thirty days. No response has been received.

Leave to proceed in forma pauperis (document number 2 on the docket) is **DENIED**. This case is **DISMISSED** without prejudice. *See* Fed. R.Civ.P. 41(b). The clerk shall close this file.

IT IS SO ORDERED.

Dated: August 31, 2009.



WILLIAM ALSUP

UNITED STATES DISTRICT JUDGE

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